

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

Marta Milagros Carmichael

Plaintiff

vs.

Civil Action No. 1:20-cv-1-MTP

Commissioner of Social Security

Defendant

Remand Order

Before the Court is the unopposed motion of Defendant, Andrew Saul, Commissioner of Social Security (“Commissioner”), for an order remanding the final decision to the Commissioner for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g). Upon due consideration of Commissioner’s unopposed motion, the Court finds that further development of this case is necessary so that the Court can perform a complete review of this case without having to make de novo findings. *See Richardson v. Perales*, 402 U.S. 389, 399 (1971). The Court further finds that under sentence four of 42 U.S.C. § 405(g), the Court has the power “to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying or reversing the decision of the Commissioner, with or without remanding the cause for a rehearing.” *See Melkonyan v. Sullivan*, 501 U.S. 89, 97-98 (1991). Accordingly,

IT IS ORDERED that this case be, and it is hereby, remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g), and that on remand this

case will be sent to an Administrative Law Judge for a supplemental hearing and a new decision.

SO ORDERED on this, the 27th day of July, 2020.

s/Michael T. Parker
UNITED STATES MAGISTRATE JUDGE

Prepared by:

Stephen Graben
Assistant United States Attorney
Attorney for Defendant